

1 **UNITED STATES DISTRICT COURT**
2 **DISTRICT OF NEVADA**

3 JAUCELL DUVON BRITT,

4 Plaintiff

5 v.

6 ,

7 Defendants
8

Case No.: 3:21-cv-00139-MMD-WGC

Order

Re: ECF No. 1, 1-1

9
10 Plaintiff has filed a bank application to proceed in forma pauperis (IFP) (ECF No. 1), as
11 well as a blank civil rights complaint (ECF No. 1-1). There is a single page following the blank
12 complaint that states that when he was in the Washoe County jail, Plaintiff suffered an injury,
13 breaking both wrists and pulling a muscle, and also had an aneurism in the back of his head and
14 multiple strokes. He states to contact him for more information. (ECF No. 1-3.)

15 Preliminarily, the Local Rules of Practice for the District of Nevada provide: “Any
16 person who is unable to prepay the fees in a civil case may apply to the court for authority to
17 proceed *in forma pauperis* (IFP). The application must be made on the form provided by the
18 court and must include a financial affidavit disclosing the applicant’s income, assets, and
19 liabilities.” LSR 1-1.

20 Plaintiff's complaint was not accompanied by a completed IFP application or the \$402
21 filing fee (consisting of the \$350 filing fee and \$52 administrative fee).

22 In addition, the Federal Rules of Civil Procedure govern civil lawsuits filed in federal
23 court. Under those rules, an action is commenced by the filing of a civil complaint which
identifies the defendants (the persons or entities you are suing) and sets forth allegations that

1 indicate the action each defendant engaged in that you claim violated your rights, and which
2 rights you claim were violated.

3 The blank IFP application Plaintiff submitted (ECF No. 1) is **DENIED WITHOUT**
4 **PREJUDICE**. The Clerk shall **SEND** Plaintiff a copy of the instructions and application to
5 proceed IFP for a non-prisoner, as well as the form 1983 civil rights complaint, and non-inmate
6 advisory letter.

7 Plaintiff has **30 days** from the date of this Order to either file his completed IFP
8 application or pay the full \$402 filing fee, and to file a completed civil rights complaint on the
9 form the Clerk sends. If Plaintiff files his completed IFP application and completed civil rights
10 complaint, the court will screen the complaint under 28 U.S.C. § 1915(e)(2)(B), which requires
11 dismissal of a complaint, or any portion thereof, that is frivolous or malicious, fails to state a
12 claim upon which relief may be granted, or seeks monetary relief against a defendant who is
13 immune from such relief.

14 If Plaintiff fails to timely file a completed IFP application or pay the filing fee and file a
15 completed civil rights complaint, this action will be dismissed without prejudice.

16 **IT IS SO ORDERED.**

17 Dated: April 8, 2021

18 

19 William G. Cobb
20 United States Magistrate Judge
21
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23